

Bigfork Land Use Advisory Board
Minutes
February 28, 2008
(amended)

Committee members present: Shelley Gonzales, Gary Ridderhoff, Paul Guerrant, Chuck Gough, Darrel Coverdell and 25 members of the public.

Vice Chairwoman Shelley Gonzales called the meeting to order at 4: 05 pm

1. Agenda: The Agenda was adopted as emailed (m/scGough/Coverdell)

2. Minutes: The minutes for January 31, 2008 were approved as emailed (m/sc Gough/ Coverdell)

The minutes for February 14, 2008 were approved as amended (m/sc Ridderhoff/ Gough)

3. Administrator's Report: Sign violations are on hold as the county does not have the staff to devote the time to them.

Murer Zone change approved by the planning board and the commissioners
Touris Zone change denied

Taylor/Spitler was approved by the planning board and the commissioners

Crestview was approved by the planning board but has not been heard by the commissioners yet

Saddlehorn was approved by the planning board but has not been heard by the commissioners yet.

The commissioners approved 2 new members to the planning board, James Heim, Lakeside and Marie Hinkley-Auclaire, Kalispell...

The commissioners approved the appointment of Chuck Gough to BLUAC

So far three people have filed for positions on the Bigfork Land Use Advisory.

Mary Sevier is off until next Thursday so we will have to wait on that news.

Bigfork Neighborhood Plan: We are still waiting for the clean copy of the Designated Land Use Map to come from the county.

Applications:

- A.** A request by Tim and Sherrie Calaway and Richard and Nancy Whitaker for a Conditional Use Permit to construct and operate an indoor tennis, gymnastics and community center within the Bigfork, SAG 5 (Suburban Agricultural) Zoning District. The property is located at 141 MT Highway and 83 and contains approximately 10 acres. The applicants would develop the west 5 acres only at this time.

Alex Hogue presented this application. He said this meets all the county regulations, no environmental constraints, and has the required setbacks. It is a metal building, which will be a low profile as it is behind Grizzly Jacks and the Crossroads Christian Fellowship Church. They will build an internal road system

to county standards which will give them 3 access points. They will be having 101 parking spaces, 91 will be paved, the rest would be gravel and they will be ADA compliant. There is a rule in Montana that a facility within 500 feet to a public water and sewer system must hook up to the public system. Julie Spencer said she would highly recommend that as the soil in that particular area is not good for sewer septic systems.

Lee Peters, Architect and Applicant along with Dennis Sabo, the other Applicant said they are both members of the Crossroads Christian Fellowship Church and the Church has agreed to let us use their parking lot when we have a large event. Mr. Peters said they will be having a meeting with Bigfork Water and Sewer on March 12, 2008 to work out details. The community room will be under a separate board of directors as a non-profit entity.

Public Comment:

Jane Starr: *I think it is a great idea.*

Mary Jo Naïve: *Where will the access on Highway 83 be located?*

Just east of the Little Brown Church was the answer.

Mary Jo said that on Friday mornings the traffic in that area is very heavy.

Public Comment Closed.

The Board then discussed the utilities and the access roads. Shelley then asked Alex to please read the conditions that he had placed on the application and not the other ones that everyone has on their application. The BLUAC members did not have a copy of the county conditions. These were the ones pertaining to water, sewer, and roads and after hearing them the board was satisfied. A motion was made to approve the application with all the conditions from the county to be met. (m/scGuerrant/Ridderhoff) Passed unanimously

- B.** A request by Joseph Magaddino for a Zoning Variance to property within the Bigfork, CVR (Commercial Village Resort) Zoning District. The applicant is requesting a variance to Sec. 3.26.040 (7) of the Flathead County Zoning Regulations: they wish to omit this requirement for on site parking in downtown Bigfork. The property is located at 475 Electric Avenue.
- C.** Eric Giles was the planner that worked on this project. This building is only on the front of the street and it has a house directly on the back of it and so there is no place to put an additional 6.1 parking space. The building that was there was grandfathered in when the zoning laws were adopted. Joseph Magaddino the architect spoke for the applicant Tom Bradshaw. When we designed the building all of the other zoning areas went in fine but a zoning regulation that is used in the city and other areas can't be used in Bigfork. We have to come together to solve this problem here in Bigfork. I don't think any one group can do this. We have to come together and do this as a community.

Public Comment:

Sam Wallenberg: *My wife and I own the property directly to the east of this property and we have no problems with this request.*

Shirleen Weese: *She feels it is largely the people working in the retail shops, they try to find a different area to park in but it is hard.*

Carl Easton: *It is time for this community to come together to find solutions to this problem. It is becoming a snow ball effect. How about charging a developer to either provide parking or be charged a fee. It is time to do something now.*
Mr. Easton left a letter.

Jane Starr: *I just renovated a house on Electric Ave and I have some off street parking behind my house and my landlady has three and they are just sitting there. They might be used.*

Leslie Budewitz: *When we did the survey a few years ago I think almost every one that returned a survey mentioned parking as the number one problem in Bigfork. If we allow this to go forward we are now are setting a precedent.*

George Darrow: *He stated Bigfork was founded in 1901 in the days of horses and buggies, now we have SUVs and huge delivery trucks so now we find Bigfork strangling trying to accommodate this traffic. The zoning in Bigfork allows us to build both commercial and residential. We build up and out. Any solution to this problem is going to cost a very large amount of money.*

Mary Jo Naive: *I think the building looks great. But I have been working with the downtown merchants this winter and the ones in the top are hurting. One business has closed and more offices are opening which doesn't mean one parking space it means several more. I did a study several years ago and I found we had 146 parking spaces and we needed 126. People have found that it is hard to park here and who wants to come here in the summer and not find a place to park. This is an issue that keeps coming up and it needs to be solved.*
Mary Jo submitted a letter.

Dennis Kelleher: *I want you to know these are really nice people, family people and want to be a part of the community. They love coming to the Swan River for summer. How about the bowling alley? Have a parking tower with a restaurant on top.*

Jerry Riecke: *My wife and I have owned Bayside Gallery for 20 years. I hear from my customers I don't come downtown anymore there is no parking. We need to solve this problem now and we need to get these people involved now.*

Jane Starr: *I have heard from people that they don't bring our guests down in the summer time, there is no parking .When the locals stop coming we have a problem.*

Public Comment Closed

Please Note** There were a total of 5 letters submitted to the secretary in opposition to this variance, 2 already noted Mary Jo Naïve, “Merry Gems” Carl Easton “Chris’ Tea Cottage”. The others are Mark Langlois “Garden Bar and Grill”, Gretchen I. Gates “Eva Gates Homemade Preserves”. Donna Lawson “The Jug Tree”. Attached to secretary’s notebook.

Bruce Solberg, director of the Chamber of Commerce was asked if he knew what the members of the Chamber were discussing about the parking situation and with regard to the Resort Tax... He has only been director a year and a half, but he heard there was a private citizen who had a trolley system but it went away due to insurance, liability and gas prices and the Resort Tax is in an exploratory phase right now.

Parking is the number one problem in Bigfork, especially in the summer, is the consensus of the BLUAC. Shelley remarked that if we allowed one business to do this we are setting a precedent and that bothers her. A motion was then made to accept the variance (m Ridderhoff) There was no second. Motion died for a lack of a second.

A motion was then made to deny the variance (m/sc Gough/Coverdell) motion passed vote was 3 to 2.

This variance now passes to the Board of Adjustment on March 4, 2008 6:00 pm, Earl Bennett Building in Kalispell 1035 1st Ave West, second floor.

New Business:

There was a discussion after the vote about the about getting this whole community together, retail, offices, Chamber of Commerce, to try and solve this bad parking problem that has lasted for 60 years.

Old Business: None

Public Comment: Ralph Warren of the Crestview Homeowners Association addressed the easement at the building site of the senior citizen home. This was presented last month .He stated that the Crestview Homeowners Association was never contacted about this matter. It is the setback from the road that is incorrect. Their building is too close to the road. He thinks it violates the Covenant of the Homeowner’s Association and the county regulations. Shelley referred him to the planning department.

Diane Johnson asked to speak to our group about a very serious matter happening on the Flathead River, 7 miles North of Town. We are trying to talk to everyone and any one about a proposed large marina on the river. She has called everyone in government up to the Governor and no one or department has any authority or control on the rivers in the whole state of Montana. A marina of this magnitude has never been proposed before. After talking with the governor's assistant and congratulating him on the coal mine, he said it hasn't been just put on hold. If we let a marina the size of this one, the Canadians will come right back. If we can pollute our river they can too. By making a lot of phone calls we have gotten a public meeting scheduled on Thursday night March 6, 2008 at 7:00 pm at the Hilton Gardens Hotel. Several County Departments and the County Attorney will be there to describe their duties and basically to tell us their hands are tied. We need to have the whole community come together to fight this proposal. This marina will have storage for 275 boats, 3 docks. The gentleman proposing this is talking about launching 85 boats a day. The river banks are already in deep erosion. Gene Lee mentioned in the morning the water is clear, one boat goes by it is murky. He showed pictures of the already eroded bank, his neighbor used to drive his hay wagon around a tree now he almost goes into the river. Diane thanked us for letting her talk and hoped we would support their effort.

Meeting was adjourned at 6:30

Pat Wagner, Acting Secretary